

**TELECONFERENCE  
PROFESSIONAL GEOLOGISTS SECTION  
EXAMINING BOARD OF PROFESSIONAL GEOLOGISTS, HYDROLOGISTS AND  
SOIL SCIENTISTS  
MINUTES  
MADISON, WISCONSIN  
WEDNESDAY, JUNE 20, 2001**

**PRESENT:** Joan Underwood (by teleconference); Frederick Birts (by teleconference);  
Thomas Evans

**EXCUSED:** David Mickelson

**STAFF PRESENT:** Katharine Hildebrand; Grace Schwingel; Judy Mender;  
William Black, Legal Counsel

**CALL TO ORDER**

The meeting was called to order at 8:35 a.m. by Joan Underwood, Chair. A quorum of three members was present.

**AGENDA**

**MOTION:** Thomas Evans moved, seconded by Fred Birts, to adopt the agenda as published. Motion carried unanimously.

**APPROVAL OF MINUTES (2/21/01)**

**MOTION:** Tom Evans moved, seconded by Fred Birts, to approve the minutes as written. Motion carried unanimously.

**ADMINISTRATIVE REPORT**

**Katharine Hildebrand**

Katharine Hildebrand introduced herself as the new Bureau Director, appointed by Secretary Oscar Herrera. Hildebrand gave the Section members a review of her background, indicating that she came to the Department from the Governor's Office. She served as the Governor's Education Policy Advisor and also served on the Education Team under former Governor Thompson. Hildebrand asked Section members to contact her with any questions they may have or if there is any way she can assist them in their duties as Section members. Hildebrand indicated that, initially, one of her primary goals is to get the Boards and Sections fully staffed with members whose terms are current. There was some question about whether Section members could serve on two full terms after serving a partial term. Some Section members are on their third term. The Board would like to know if Terry Adler is eligible to be reappointed; her term expired 7/01/2001. Katharine will confirm with the Governor's Office the eligibility criteria for the reappointment of Section members.

## **Section Roster**

Fred Birts' term has ended and he has submitted a letter of resignation from the Geology Section/Joint Board. Birts has agreed to continue to serve as a Section member until a replacement has been found for him. Hildebrand will contact the Governor's Office and let Section members know the status of efforts to find a replacement for Fred Birts.

## **Regulatory Digest**

Under the Board Member Reappointed section of the Regulatory Digest, Herb Garn is incorrectly listed as having been reappointed to the Professional Soil Scientists Section. Herb Garn (7/1/2004) was reappointed to the Hydrologists Section. Patrick McGuire (7/1/2004) of the Soil Scientists Section, and Joan Underwood (7/1/2004), and David Mickelson (7/1/2005) of the Geologists Section of the Joint Board have also been reappointed. Hildebrand will make the appropriate corrections for the Section Members, and Department staff sections of the Regulatory Digest.

Thomas Evans will prepare an article regarding the Interagency Liaison Committee, from the June 11, 2001, letter from Secretary Darrell Bazzell of the Department of Natural Resources. Judy Mender will prepare an article regarding the registration of firms and e-mail the article to Underwood to review. Section members would like to be proactive in getting pertinent information to professional members by way of the Joint Board's Regulatory Digest. The Section was impressed with the professional looking format of Regulatory Digests that have been seen from other states and inquired about the possibility of upgrading the quality of the Joint Board's Regulatory Digest to a more polished and professional looking format. The Section would also like to include more cutting-edge articles relating to the profession. The Section had agreed that normally it would be the responsibility of the Vice Chair, currently David Mickelson, to prepare articles for the Regulatory Digest.

Tichenor will write a brief article on the National Exit Exam in Geology for Colleges and Universities. All finished articles will be given to Hildebrand to be included in the Regulatory Digest.

## **Per Diem Report**

Noted.

## **Monthly Press Release**

Hildebrand noted that, at the suggestion of the Department's Legal Counsel, a complete list of all of the Department's disciplinary orders from the previous month will be listed in a press release and included in each Board's or Section's agenda packet. This information is also on the Department's website. Thomas Evans suggested that it should be made clear what the different levels of discipline are so that people reading the press release or the information on the Department's website, understand the severity of a particular violation and are able to distinguish between minor technical problems and more serious practice concerns. It was suggested that it would be helpful to have a section or key in the press release and on the website that would define the terminology being used, explaining the difference between a reprimand, a limitation

and a suspension. Hildebrand will present this idea to Secretary Herrera. This information could also be included in the Regulatory Digest.

### **To-Pass Folder**

For the benefit of Section members joining the meeting by teleconference, Evans noted the contents of the To-Pass folder. There was a Newsletter from the Colorado Geological Survey called RockTalk. This is a very professional looking newsletter that gave a very good summary of the Summitville situation in Colorado. There was also material from ASBOG on the summary report of the March exams, and some materials from Arizona containing summaries of court cases related to licensure for federal employees operating in a state.

### **LEGISLATIVE UPDATE**

Legal Counsel, Bill Black, indicated that SB156 and AB358 have been introduced in the Legislature. However, there has not been any further action on these bills, as legislators are currently busy with the Biennial Budget Bill. Hildebrand will check with the Executive Assistant on the status of SB 156 and AB 358.

### **ADMINISTRATIVE RULES**

Bill Black reviewed the statutes relating to the use of electronic signatures. This will not have a significant impact on the work of the Section. The Section felt it would be more appropriate to discuss this issue further at the Joint Board in October 2001. The Legislature has dealt with the issue of electronic signatures as being an acceptable signature under statute 137.06. Black stated that, legally, it is not necessary to incorporate this information about electronic signatures into the Section's administrative rules since the Legislature has already done this by statute. However, Black informed the Section that other Boards have decided to add this change to their administrative rules, not as a matter of law, but as a practical matter of providing notice to all licensees in an effort to cut down on phone calls to Department staff from licensees asking about this issue. The Section will discuss this issue of electronic signatures at the Joint Board meeting in October.

### **SECTION MEMBER ACTIVITY**

The Section needs to decide who will represent the Section at the Association of State Boards of Geology (ASBOG). Judy Mender indicated that the ASBOG meeting will be held in Pittsburgh, PA on October 8 - 14, 2001. Hildebrand will mail the schedule for the ASBOG meeting to Joan Underwood.

**MOTION:** Fred Birts moved, seconded by Thomas Evans, to have Joan Underwood represent the Section at the National ASBOG meeting in October. Motion carried unanimously.

Underwood reviewed the organizational structure of the Geology Section in Minnesota, Illinois, Kansas and Nebraska and noted some differences between how these states deal with specific issues. The Section felt that, if time and finances allow, it would be beneficial for the Bureau Director to attend the ASBOG meeting to learn more about how Boards in neighboring states are organized and how these states handle some of the common issues of the profession. Hildebrand

will look into the feasibility of attending the ASBOG meeting. Underwood reported on the Council of Examiners Workshop she attended April 6 & 7, 2001, in Memphis Tennessee.

## **ASBOG**

Joan Underwood gave the Section an update on events within the profession in Canada as she continues in her role as the ASBOG liaison with Canada. Canada has reached an inter-provincial agreement tightening up the qualifications for geologists which essentially takes the highest standards from each of the provinces and territories in Canada, agreeing that if an individual meets those requirements they would be able to receive a license in any of the other provinces. Canada is also considering moving towards national licensure.

**MOTION:** Thomas Evans moved, seconded by Fred Birts, to direct the Section's voting delegate, Joan Underwood, to vote in favor of the charter and by-law changes of the National Association of State Boards of Geology meeting in Pittsburgh, Pennsylvania in October 2001. Motion carried unanimously.

## **REPORT OF THE INTERAGENCY LIAISON COMMITTEE**

Noted.

## **EXAMINATION ISSUES**

### **Examination Preparation Courses and Publications**

Darwin Tichenor reported that there has been a concern about some individuals doing prep work for the exam with candidates and possibly using or selling ASBOG materials. This is an issue that ASBOG is handling. It does not particularly concern the Section, other than the fact that the Section should be aware of the issues involved.

### **National Exit Exam in Geology for Colleges and Universities**

Tichenor reviewed the letter from ASBOG in the agenda packet indicating that ASBOG would like to have the fundamentals examination function as a so-called "exit exam" to evaluate or provide feedback to geology academic programs regarding the success of their candidates. It is up to the Section members as to whether the Section wants to support the exit exam concept. In Wisconsin, seniors are eligible to take the exit exam. If the schools are to know how the seniors from their schools are doing in the exam, candidates that are seniors will need to be identified when they take the exam. Underwood reported that this is not a new issue for the Section and that the Section has already modified its rules to be able to support the exit exam. Black indicated that requirements are defined in s. GHSS 2.06 (2)(a)(b), Wisconsin Administrative Code. Mender reviewed the qualifications for taking the different portions of the geology exam and for licensure in the profession. Tichenor will write to the schools, giving them a brief overview of the availability of the exit exam to determine if there is an interest in a national exit exam and also to further explore the exit exam issue with the schools. The Section suggested writing a brief notice about the National Exit Exam in Geology for the Regulatory Digest to keep the profession informed about the nature of the national conversation taking place within the profession on this issue. Tichenor also addressed some questions Section members had

regarding the status of the transition of the hydrology exam to AIH. The Department met with AIH members in May about having AIH assume responsibility for updating and maintaining the exam. The Department has reached an informal agreement that the transition of the exam to AIH would occur in 2002. The Department is currently in the process of finalizing the details of a letter of agreement between the Department and AIH on this issue.

#### **MISCELLANEOUS CORRESPONDENCE/INFORMATION**

Nothing to discuss.

#### **NEW BUSINESS**

Nothing to discuss.

#### **CONVENE TO CLOSED SESSION**

**MOTION:** Fred Birts moved, seconded by Thomas Evans, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.; to consider licensure or discipline (s. 19.85(1)(b), Stats.; to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.; and, to confer with legal counsel (s. 19.85(1)(g), Stats. Motion carried unanimously by a roll call vote: Joan Underwood-yes; Fred Birts-yes; Thomas Evans-yes.

Open Session recessed and Closed Session convened at 11:15 a.m.

The Board deliberated on pending applications.

#### **RECONVENE TO OPEN SESSION**

**MOTION:** Thomas Evans moved, seconded by Fred Birts, to reconvene into open session at 11:35 a.m. Motion carried unanimously.

#### **VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION**

##### **PENDING APPLICATIONS**

**MOTION:** Thomas Evans moved, seconded by Fred Birts, to accept the credentials for Craig Arola, Andrew Delforge, Carl Ham, Ward Herst, and David Larsen for licensure as a professional geologists in Wisconsin. Motion carried unanimously.

**MOTION:** Thomas Evans moved, seconded by Fred Birts, to accept for licensure in the State of Wisconsin by comity, James Wedekind. Motion carried unanimously.

**MOTION:** Thomas Evans moved, seconded by Fred Birts, to accept for licensure in the State of Wisconsin by comity, Daniel Townsend. Motion carried - two in favor, one abstention.

**MOTION:** Thomas Evans moved, seconded by Fred Birts, to accept for licensure in the State of Wisconsin by comity, Richard Raione. Motion carried unanimously.

Section members requested Department Staff to provide information to assist the Section in its consideration of the policy on accepting applications by comity. Specifically, the Section members asked Legal Counsel, Bill Black to assist with the legal aspects and Judy Mender to help with the history of accepting and denying applications by comity.

**MOTION:** Fred Birts moved, seconded by Thomas Evans, to have Joan Underwood contact Minnesota regarding the matter of Mr. Christopher Elvrum. The Section has received comments about Minnesota's concern with Wisconsin allowing applicants to take the fundamentals and practice portions of the exam on the same day. Motion carried unanimously.

### **ADJOURNMENT**

**MOTION:** Fred Birts moved, seconded by Thomas Evans, to adjourn the meeting at 11:45 a.m. Motion carried unanimously.

DATE: September 28, 2001

TO: Katharine Hildebrand

FROM: Grace Schwingel

SUBJECT: Geologists Meeting, June 20, 2001 To Do List

1. **Hildebrand** will make the appropriate corrections for the Section Members and Department staff to the Regulatory Digest. Under the section "Board Member Reappointed" section of the Regulatory Digest, Herb Garn is incorrectly listed as having been reappointed to the Professional Soil Scientists Section. Herb Garn is a member of the Hydrologists Section.
2. **Hildebrand** will contact the Governor's Office and let Section members know the status of efforts to replace Fred Birts.
3. **Thomas Evans** will prepare an article regarding the Interagency Liaison Committee, from the June 11, 2001, letter from Secretary Darrell Bazzell of the Department of Natural Resources.
4. **Judy Mender** will prepare an article regarding the registration of firms and e-mail the article to Underwood to review.
5. The Section asked **Tichenor** to write a brief notice about the National Exit Exam in Geology for the Regulatory Digest to keep the profession informed about the nature of the national conversation taking place within the profession on this issue. **Tichenor** will also prepare a brief notice about the qualifications for taking the different sections of the Geology exam and for licensure in the profession. All finished articles will be given to Hildebrand to be included in the Regulatory Digest.
6. **Hildebrand** will contact Secretary Herrera about adding a section or key to the press release and on the website that would explain the difference between a reprimand, a limitation and a suspension so that people reading the press release understand the severity of a particular violation and are able to distinguish between minor technical problems and more serious practice concerns.
7. **Hildebrand** will check with the Executive Assistant on the status of SB156 and AB358.
8. **Hildebrand** will mail the schedule for the ASBOG meeting to Joan Underwood.

9. **Hildebrand** will look into the feasibility of attending the ASBOG meeting in October.
10. Legal Counsel, **Bill Black** will assist Section members with the legal aspects and **Judy Mender** will provide the history of the policy to assist the Section in its consideration of the policy on accepting applications by comity.
11. **Agenda for next meeting:** The Section will discuss the issue of electronic signatures at the Joint Board meeting in October.